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From; The Wisconsin Aquaculture Association

Date; 4-6-06

Comments on the Interim Final Report of the Aquaculture Working Group - winter 2006

Introduction;
The Wisconsin Aquaculture Association, is an industry led, producer centered member association. Our purpose is to promote, educate, and advocate for the economic vitality of environmentally sustainable aquaculture in our state and to interact with government agencies, related associations, industries, and other groups. The issue of adding organic aquaculture standards to the National Organic Program is one which we have followed closely since we feel that there is great potential for our members to service this valuable market niche. Our expertise is with cold water and cool water fish species. The following comments reflect that particular scope and are not intended to inadvertently exclude another sector. We cannot speak to all aquaculture species but encourage the development of standards that allow as many species as possible to be raised organically if it is done in a sustainable manner.

General Comments
It is with general satisfaction that we review and respond to this Report. It is a fine piece of work, a solid start to the development of formal organic aquaculture standards. The amount of research, debate and careful construction of language are apparent throughout. Particularly noteworthy is the alignment of this language with existing §205 language. This alignment is critical because despite the uniqueness of aquaculture production this will become part of the existing livestock standards and therefore dependant upon the precedent set in that section of the rule.
There are instances in this report where precedent language from the livestock standards is restated. This language could effectively be removed from the final recommendation since it exists already. That is a decision for legal minds. It is good that you have included it here however since such inclusion reinforces this set of standards with regard to existing ones.
We also support the sections of this report that break new ground by including language that has not been present previously. Topics such as humane transport and slaughter are germane to organic livestock standards; hopefully this new language will set precedent and positively influence other sections of organic livestock production.

A fundamental theme of this report with which we agree is the lack of specific prescriptive standards in favor of subjective language. Phrases such as “appropriate, sufficient, adequate, minimization and frequent” establish intent while at the same time allowing flexibility for individual operators to manage site specifically.

Specific Comments;

§205.2 Terms defined
For the purposes of this report and these proposed standards these definitions are adequate with the following suggestions;
Fish Meal and fish Oil; Fish Meal is the… from rendering whole fish, fish cuttings, or cannery waste *alone or in combination*.
The term *Polyploid* should replace the term *Triploid* since it is more inclusive and will likely be an issue in the future as genetic technology advances.

§205.250 Aquaculture general
These proposed standards are well constructed and so set a solid foundation on which the rest of this report builds. In particular 250(2) addresses the discharge of nutrients and the encouragement of an integrated system designed to cycle effluent into vascular plants. We agree with this approach since sustainable integrated production is a fundamental concept to an organic system.

§205.251 Origin of aquaculture animals.
(a) The inclusion of 5% of market weight language in addition second day of exogenous feeding is an interesting proposal however we feel that it is not appropriate to all species under organic aquaculture standards. Such language would also cause further confusion in reference to organic poultry production. We suggest that the 5% standard be allowed only for species which cannot otherwise comply with the second day of exogenous feeding standard.
Brood stock and eggs purchased from conventional operations need to be managed in a way that is suitable to the organic paradigm. For example the use of formalin in salmonid hatcheries to curtail fungal growth on eggs is nearly universal displacing mechanical and natural management practices. Formalin is an environmental and human health threat arguably unnecessary either altogether or at current usage rates. Doubtless there are other instances where pressure from organic customers could favorably influence the practices of conventional suppliers willing to service that niche.
(e) We disagree that polyploid animals should be categorically disallowed. Polyploidy is an agricultural tool common in plants including organic and which can be beneficial to help protect biodiversity and exotic species control. There is legitimate concern of escape of farmed species becoming invasive. Strategic use of polyploid animals could effectively address those concerns while keeping compliant with organic standards and consumer expectations.
(f) (g) With regard to salmonids we feel that sex reversal of brood stock by chemical means, particularly Methyl-testosterone is counter to the principles of organic and that the offspring of those animals, although unaffected chemically should not be allowed in organic production. We understand that there may be species where organic production would be dramatically limited by this exclusion and so would not object to the allowance of this practice where absolutely necessary.

§205.252 Aquaculture Feed
We appreciate the struggle the working group went through on the pivotal topic of fish meal in organic livestock production and give credit to these two well thought out options. The historic use of fish meal and fish oil in organic livestock feed has been unclear. We whole heartedly recommend introduction of organic aquaculture standards as the vehicle to decisively clarify the differences between fish meal as a feed additive

and as feed. There is of course significant consumer concern regarding fish meal pertaining to both human health and the sustainability of marine resources.
We would like to endorse the proposal that Fish Meal when considered Feed be from *either* sustainable wild caught *or* organically produced fish. The verification of sustainable harvested fish for fish meal should be explored. If an independent and reliable verification system can be established it should be allowed. Fish meal harvested sustainably from wild resources will be the only source in the fledgling years of organic aquaculture. It will take time to develop the necessary infrastructure to capture and process meal from organic production.
The exclusion of fish meal fed to the same species is a reactional response to mad cow concerns which does not translate to aquaculture to the same degree. We are concerned that this requirement could restrict the availability of feed to producers and cause confusion.
We very much endorse the use of organic mammalian and poultry by-products for use in aquaculture feed. It is a logical use of otherwise lost quality organic protein which has the potential to boost utilization and therefore profitability of the fledgling organic livestock industry. Such utilization could also have the effect of offsetting a portion of consumer cost. The recycling of nutrients and importance of nutrition as disease prevention are key concepts of an organic farm plan. This quality nutrition resource should be allowed. The explanation portion of this section discussed the relative benefits of allowing these by-products versus synthetically produced Amino Acids. There is strong historical precedent that amino acids are not acceptable in an organic system, especially where natural alternatives are available.
Both options A and B disallow the use of synthetic pigments or artificial coloring agents. We agree with this proposal and would like to see it be even stricter and disallow *any added pigment*. There is significant consumer concern regarding the unnecessary coloring of salmonids by any method. We feel that it would be in keeping with the organic principal of "Minimally Processed" in excluding the artificial coloring of fish. Furthermore §205.237(b)(2) prohibits the addition of feed supplements or additives in amounts above those needed for adequate nutrition and health maintenance.

§205.253 Aquaculture health care.
The section is a good example of this language aligning and complementing existing regulation. It highlights the importance of preventative and integrated management practices in order to minimize the use of reactionary management practices such as synthetic medications.
(c)(1) describes standards for the use of synthetic medications approved in section 603 however this list is theoretical since we are aware of no NOP approved aquaculture medications. The industry will have to respond by petitioning specific needs, a daunting process that could take years. This should not however delay the advancement of this project.
(c)(3) prohibits the use of hormones for growth promotion. In addition we recommend that hormones for sex reversal should be limited according to our comments in section 251.

§205.254 Aquaculture living conditions
254 (a) addresses freedom of movement, opportunity to exercise etc. however it does not require outdoor access including natural sunlight. This omission is critical and must be corrected in order to align with requirements in the 239(a)(1). Not correcting this discrepancy will further muddle the conflict regarding outdoor access for other organic livestock particularly poultry.
We do not agree that lethal means to control predators be limited to safety and predator welfare. Predator control should be integrated just like organic pest management as described in section 271. If an operator can demonstrate that exclusion, deterrent, non lethal and allowed lethal means are inadequate then lethal means "in accordance with local laws and the laws of the United States" should be allowed. Predator control is a major issue for aquaculturists often being the single largest production challenge more than disease, nutrition and theft.
The allowance of non-organic animals including triploids as biological vectors in an organic operation is perfect. We agree entirely.

§205.255 Aquaculture facilities
Nowhere in this report are there more citations of subjective regulation than in this section. There are at least 12 instances where language such as “appropriate distance”, ”sufficient elevations”, ”minimize accumulation” and “frequent testing” establish intent while at the same time allow for flexible application by the operator in order to satisfy the requirement. While these subjective situations can be difficult for inspectors and can be variably interpreted by certifiers we feel strongly that this is the correct approach. Prescriptive numerical requirements are more problematic due to the impossibility to apply such a strict standard to many diverse operations.
(k) We agree that net pen culture should be allowed as a means of organic production. By assigning regulatory guidelines prudent producers are rewarded with access to the organic marketplace. Consumers concerned with environmental degradation from net pen aquaculture can turn to the organic label and be assured that the product was raised sustainably.
(m) The requirement that containment systems be required to cycle one year before converting to organic is not in line with existing livestock standards which allow for organic start up in a new, contained operation like poultry or pork. If an operator has a clean system and is in every other way in compliance with organic standards they should be allowed to get certified.

§205.238 Farmed aquatic Plants
No Comments

§205.259 Harvest, transport, post harvest handling, and slaughter of aquatic animals
This section is well thought out and well constructed. It is a divergence from existing livestock standards but we agree it is time to address animal welfare and humane slaughter issues. Doubtless the exact language can be adjusted (for example (f)(2)(iii) prohibits MS-222 which is a synthetic and so prohibited unless added to 205.603) but as this report advances to become final regulation we urge everybody involved to incorporate the groundwork set up in this section.

Summary
The Aquaculture Working Group has done an admirable job with this report. The Wisconsin Aquaculture Association is in favor of these standards as a whole. Our comments are designed to influence the fine tuning of these standards as they advance to final rulemaking not to derail the project altogether. Besides final passage of organic aquaculture standards we would like nothing better than to be contacted to further discuss the intricacies of this proposal.

Sincerely,

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